IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE
and
THE HON'BLE MS JUSTICE G.ROHINI

TAKEN UP WRIT PETITION NO : 11601 of 1994

Between:
1 Naraimnulu
2 Y. UmaMahesware Rao
3 Y. Duruvasulu,
4 Rajavenkatewara Rao
5 J. Appa Rao
6 M. Jagadedu,
7 K. Chitti Babu,
8 A. Lakshmana Rao.
9 M. Srinvias
10 Tucha Rajulu,
11 K. Raja Rao.
12 V. Appa Rao.
13 K. Bheem Babu
14 Y. Kishore
15 V. Ram Babu
16 G. Narasimha Rao.
17 D. Mallesham,
Remand Prisoners of Visakhapatnam Central Jail Visakhapatnam

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PETITIONER(S)

AND

1 The Superintendent of Central Jail
Visakhapatnam
2 The Dy. Superintedent of Central Jail
Visakhapatnam
3 The Chief Secretary Govt of A.P

Hyderabad

4 The Secretary, Home Dept. Secretariat Govt. of A.P
Hyderabad

5 The Director of Prisons Govt of A.P
Hyderabad

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order, direction or writ more particularly one in the nature of writ of Mandamus calling for the records regarding illegal arrest of petitioners by Visakhapatnam Police and harassment meted out to Sri. N. H. Akbar, Advocate and declare the action of the Respondents in not providing ration, Medical facilities and Medicines and not permitting the Petitioners wives and children and relatives to meet them and torturing the Prisoners by keeping them in a Single Cell as illegal and direct the Respondents to enquire into the matter of atrocities committee by Jail Authorities and to pass such order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For the Petitioner: PETITION

For the Respondent No.: GP FOR HOME

The Court made the following :

A representation submitted by the prisoners of the Central Jail, Visakhapatnam to the Hon'ble the Chief Justice was treated as a taken up writ petition wherein the petitioners claim to be compensated for the alleged illegal arrest and harassment. On notice being issued, an affidavit in reply has been filed by Ch.Rama Krishna, Jail Superintendent, Central Jail, Visakhapatnam denying the petitioners' allegations about the alleged arrest and harassment. The material papers were also placed on record. The petitioners made a reference to Mr.Akbar, Advocate, and the reply affidavit says that the said Akbar was also arrested and remanded to judicial custody on 8-3-1994 and subsequently released on bail by the concerned Magistrate.

In view of the disputed questions of fact, there is hardly any material calling for interference by us in this writ petition in exercise of

writ jurisdiction.

With leave and liberty granted to the petitioners to take out appropriate proceedings in accordance with law, the writ petition is closed.

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DEVINDER GUPTA,

CJ

18-6-2004

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G.ROHINI, J

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